

BROAD BEACH GEOLOGIC HAZARD ABATEMENT DISTRICT

REGULAR MEETING AGENDA

Sunday July 8, 2018; 9:00 a.m.

Private Residence: 31030 Broad Beach Road, Malibu, CA 90265

Regular Session

- 1) **Call to Order**
- 2) **Roll Call**
- 3) **Adoption of Agenda**

Closed Session

- 4) Conference With Legal Counsel; Pending Litigation
(Gov. Code § 54956.9(d)(1))

Conference with legal counsel and discussion of Mark Magidson, Trustee of the Magidson Revocable Trust of 1987 (2006 Restatement), and Malibu-Broad Beach S-1, LLC a California Limited Liability Company through its Manager Mark Magidson; Alexander Haagen III, as Managing Member of 30956 BB, LLC and BB Malibu Place LLC; Mike Schwab; Cheryl Schwab; Andrew Leigh; Barbara Leigh v. Broad Beach Geologic Hazard Abatement District; Board of Directors of the Broad Beach Geologic Hazard Abatement District, Los Angeles County Superior Court Case No. BS170769 (Hogue).

- 5) Conference With Legal Counsel; Pending Litigation
(Gov. Code § 54956.9(d)(1))

Conference with legal counsel and discussion of 31506 Victoria Point LLC, a California LLC, 31508 Victoria Point LLC, a California LLC, and E. Jane Arnault, an individual v. Broad Beach Geologic Hazard Abatement District, Los Angeles Superior Court Case No. SC128058 (Cole).

- 6) Conference With Legal Counsel; Pending Litigation
(Gov. Code § 54956.9(d)(1))

Conference with legal counsel and discussion of Broad Beach Geologic Hazard Abatement District v. All Persons Interested in the Validity of Resolution No. 2017/09 of the BBGHAD Board, LASC Case No. BC 684646 (Hogue).

- 7) Conference With Legal Counsel; Pending Litigation
(Gov. Code § 54956.9(d)(1))

Conference with legal counsel and discussion of County of Ventura and City of Fillmore v. City of Moorpark and Broad Beach Geologic Hazard Abatement District, Santa Barbara County Superior Court Case No. VENC100479937.

Resumption of Regular Session: approximately 10:15 a.m.

8) **Approve Summary of Actions from June 10, 2018 Meeting**

Staff Recommendation: Chair to conduct vote on approving Summary of Actions from June 2018 meeting. If passed, Chair or Vice Chair to sign Summary of Actions.

9) **Old Business**

- a. **Sand Source Update.** (Project Counsel) Staff briefing on sand sources, and Board input sought regarding next steps.
- b. **Permitting and Regulatory Process Status.** (Project Counsel and Engineer) Report to include project regulatory status update, including:
 - (i) **Lead Agency Update**
 - (A) CCC (incl. MHMMP/Science Advisory Panel)
 1. Prior-to-Issuance Conditions compliance (Project Counsel).
 - (B) Army Corps
 - (C) RWQCB
 - (D) SLC
 - (ii) **Responsible & Consulting Agency update:** NMFS, Cal. DFW, CalTrans, etc.
- c. **Permitting Outreach & Strategy Update.** Report to include status update on agency advocacy and stakeholder outreach.

10) **New Business**

- a. **BBGHAD Assessment Increase.** Board to consider whether to: (1) adopt an annual inflation adjustment of the beach restoration project assessment on properties located in the BBGHAD, (2) collect in the 2019 fiscal year the full amount of the assessment previously authorized by BBGHAD property owners, (3) take both these actions, or (4) take neither of these actions and maintain the assessment in the amount imposed in the 2018 fiscal year. (Project Counsel).

11) **BBGHAD Officer Report**

- a. **Project Manager (Project Manager)**
 1. **Consider Auditor Selection.** Project Manager to present recommendation for Auditor and present contract for Board consideration. (Project Manager)
- b. **Treasurer's Report (BBGHAD Treasurer)**

12) **BBGHAD Board Member Reports**

13) **Public Comment - Non-Agenda Items**

Communications from the public concerning matters that are not on the agenda but for which the BBGHAD Board has subject matter jurisdiction. The BBGHAD Board may not act on non-agendized matters except to refer the matters to staff or schedule the matters for a future agenda.

14) Future Meeting

Next Meetings: August 12, 2018 and September 23, 2018 (tentative)

Time: 9:00 a.m.

Location: TBD

15) Adjournment